

WPIC WORKPLAN 2019-20

DRAFT compiled by Rep. Zach Brown and Rep. Walt Sales
Submitted to LSD and other WPIC members for feedback, May 2019

Jason Mohr
WPIC Staff
Legislative Services Division

WATER POLICY INTERIM
COMMITTEE 2019-20

June 10, 2019

Exhibit 6

DEAR JASON,

Please see the attached DRAFT workplan for the 2019-20 Water Policy Interim Committee, to be discussed at our June 10th organizational meeting.

Sincerely,
Reps Zach Brown & Walt Sales

TOTAL workplan hours: .75 FTE, or 2,000 hours

1. HJ 14 Study: Water Rights Administration Post Adjudication (.2 FTE)
 - a. Review the following materials:
 - i. 2015-16 "Future of the Water Court" study
 - ii. UM "Water Rights in Montana" report (2015)
 - iii. 2017 legislative session WPIC legislation
 - iv. LSD's "Short History of the Water Court" (2015)
 - v. The Ross Report (1988)
 - b. Analyze current adjudication process and identify inefficiencies or challenges.
 - i. Reexamination process—ability of DNRC to address issue through claimant contact.
 - ii. Issues associated with geocode assignment and inaccuracies caused on claims.
 - c. Consider different post adjudication models and enforcement options
 - d. Analyze budgetary considerations for different scenarios
2. HJ 40 Study: Weather Augmentation and Future Water Storage Options (.2 FTE)
 - a. Analyze cloud seeding studies, practices in other states (ID).
 - b. Analyze Aquifer Storage and Recovery (ASR)
 - i. Is mitigation the only beneficial use that can use the aquifer as a storage mechanism?

- ii. Permitting for injection wells, federal and state, will all ASR require an injection well?
- iii. Water quality considerations
- c. Analyze other water storage options
 - i. 2016 State Water Plan
 - ii. Governor's report on water storage – MCA 85-1-703
 - iii. Non-traditional storage – i.e. water movement through the soil profile, slowing down water to keep in MT longer, etc.

3. Study Future Climate Considerations for Water Rights (.15 FTE)

- a. "Period of Use" flexibility options
- b. Timing of peak run-off
- c. Using canal systems as flood mitigation infrastructure
- d. Using irrigation practices and canal systems to manage water

4. Emerging issues to monitor through regular meeting updates (.15 FTE)

- a. FWP water leases (SB 247)
- b. Nutrient Variant Standards (SB 48)
- c. Governor's Drought and Water Supply Committee:
 - i. Stream Gauge Working Group (SB 32)
 - ii. 2019 & 2020 drought year monitoring
- d. Current court cases/decisions
 - i. I.e. Racetrack, Rock Creek Mine, Lyman Creek injunctions (SB 296), etc.
- e. Implementation of Indian water right settlements
- f. Implementation of HB 286 by DNRC
- g. Agency and rule-making oversight
- h. Others TBD